

DECLARATION FOR PATENT APPLICATION

As a below named inventors, we hereby declare that my residence, post office address and citizenship are as stated below next to my name; we believe that we are the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled SILVER-ZINC ALKALINE RECHARGEABLE BATTERY (STACKING ORDER), the specification of which X is attached hereto; _____ was filed on _____, as Application Serial No. _____ and was amended on (or amended through) _____ (if applicable). we hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

			yes	no
(Number)	(Country)	(Day/Month/Year Filed)		

We hereby claim the benefit under title 35, United States code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Serial No.)	(Filing Date)	(Status-Patented, Pending, Abandoned)
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We hereby claim the benefit under 35 U.S.C. § 119(e) of any United States Provisional application(s) listed below.

(Application Serial No.)	(Filing Date)
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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the

like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: We hereby appoint as our attorney(s), with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Marvin E. Jacobs, Registration No. 20,632

Send correspondence to:

Marvin E. Jacobs
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Telephone: (805) 648-5194

Michael Cheiky U.S.A.
Full Name of First or Sole Inventor Citizenship

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City (Zip) City (Zip)

California
State or Country State or Country

4/18/01
Date Signature

Wilson Hago U.S.A.
Full Name of First or Sole Inventor Citizenship

52 North Street
RESIDENCE Address -Street POST OFFICE Address

Ventura 93001
City (Zip) City (Zip)

California
State or Country State or Country

4/18/01
Date Signature

Applicant or Patentee: Zinc Matrix Power, Inc. Attorney's
Serial or Patent No.: Unknown Docket No. 968-20-006
Filed or Issued: Herewith
For: SILVER-ZINC ALKALINE RECHARGEABLE BATTERY (STACKING ORDER)

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS [37 CFR 1.9(f) and 1.27(c)] - SMALL BUSINESS CONCERN

I hereby declare that I am

() the owner of the small business concern identified below;
(XX) an official of the small business concern empowered to act on behalf of the concern identified below;

NAME OF CONCERN Zinc Matrix Power, Inc.

ADDRESS OF CONCERN 1120 Coast Village Circle, Santa Barbara, CA 93108

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regards to the invention entitled SILVER-ZINC ALKALINE RECHARGEABLE BATTERY (STACKING ORDER) by inventor(s) Michael Cheiky and Wilson Hago described in

(XX) the specification filed herewith;

() application serial no. _____, filed

() patent no. _____, issued _____.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

NAME:

ADDRESS:

() INDIVIDUAL () SMALL BUSINESS CONCERN () NON-PROFIT ORGANIZATION

NAME:

ADDRESS:

() INDIVIDUAL () SMALL BUSINESS CONCERN () NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Michael Cheiky

TITLE OF PERSON OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING 1120 Coast Village Circle, Santa Barbara, CA 93108

SIGNATURE

Michael Cheiky

Applicant or Patentee: Michael Cheiky and Wilson Hago Attorney's
Serial or Patent No.: Unknown Docket No. 968-20-006
Filed or Issued: Herewith

For: SILVER-ZINC ALKALINE RECHARGEABLE BATTERY (STACKING ORDER)

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
[37 CFR 1.9(f) and 1.27(c)] - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled SILVER-ZINC ALKALINE RECHARGEABLE BATTERY (STACKING ORDER) described in

- (XX) the specification filed herewith.
() application serial no. _____, filed _____.
() patent no. _____, issued _____.

I have not assigned, granted, conveyed or licensed and am under obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- () no such person, concern, or organization.
(XX) person, concerns or organizations listed below.*

* Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: Zinc Matrix Power, Inc.

ADDRESS: 1120 Coast Village Circle, Santa Barbara, CA 93108

() INDIVIDUAL (XX) SMALL BUSINESS CONCERN () NON-PROFIT ORGANIZATION

NAME:

ADDRESS:

() INDIVIDUAL () SMALL BUSINESS CONCERN () NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Michael Cheiky

NAME OF INVENTOR

Wilson Hago

NAME OF INVENTOR

NAME OF INVENTOR

Michael Cheiky
SIGNATURE OF INVENTOR

Wilson Hago
SIGNATURE OF INVENTOR

SIGNATURE OF INVENTOR

4/18/01
DATE

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